S.B.CRIMINAL MISC. BAIL APPLICATION NO.5294/2007

(Jaubi George & Anr.. vs. State of Rajasthan)

DATE OF ORDER : October 29, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Vijay Purohit, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioners as well as the Public Prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioners that the vehicle in question was financed by the ICICI Bank and the loanee failed to pay the amount and on being asked to give the key of the vehicle, she handed over the same voluntarily. No injury has been caused.

From the order impugned, it appears that no force has been used and the vehicle in question has been handed over voluntarily. Be that as it may without commenting on the merit of the case, which may prejudice the case of either party at the trial, having regard to the facts and circumstances of the case, I consider it just and proper to grant anticipatory bail to the petitioners.

Accordingly, the bail application filed by the petitioners under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Jaubi George s/o George P. Thomas and Amba Lal s/o Ganesh Lal Sinder in FIR No.181/2007, P.S. Goverdhan Vilas, Distt. Udaipur, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-